

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CLARENCE JAY FAULKNER,

Plaintiff,

V.

SHERI POTEET, *et al,*

Defendants.

Case No. C08-5508RBL-KLS

ORDER TO SHOW CAUSE

This case has been referred to United States Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. § 636(b)(1) and Local Rules MJR 3 and 4. This matter comes before the Court on plaintiff's filing of an application to proceed *in forma pauperis* and a civil rights complaint under 42 U.S.C. § 1983. To file a complaint and initiate legal proceedings plaintiff must pay a filing fee of \$350.00 or file a proper application to proceed *in forma pauperis*.

On August 18, 2008, the Clerk received plaintiff's complaint and application to proceed *in forma pauperis*]. (Dkt. #1). Plaintiff's application, however, is deficient, in that he only submitted the first page thereof. In addition, Pursuant to 28 U.S.C. § 1915(a)(2):

A prisoner seeking to bring a civil action or appeal a judgment in a civil action or proceeding without prepayment of fees or security therefor . . . shall submit a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for

1 the 6-month period immediately preceding the filing of the complaint or notice of
2 appeal, obtained from the appropriate official of each prison at which the prisoner is or
was confined.

3 Plaintiff thus was required to submit a statement showing the balance and activity of his account for the
4 six-month period immediately preceding the filing of his complaint.

5 While plaintiff did submit one page “PLRA *In Forma Pauperis* Status Report” for the six-month
6 period of December 1, 2007, through May 31, 2008, he did not provide any documentation showing the
7 balance and activity in his account for that period. The Court, however, requires that information – as
8 well as a full and complete copy of the *in forma pauperis* application form – in order to properly evaluate
9 his entitlement to *in forma pauperis* status.

10 Accordingly, the Court orders the following:

11 (1) Plaintiff shall seek to cure the above deficiencies by filing **no later than September 20,**
12 **2008**, (a) a fully completed and signed copy of his *in forma pauperis* application form, and
13 (b) a copy of his prison trust account statement pursuant to 28 U.S.C. § 1915(a)(2)
14 showing the balance and activity of his account(s) for the six-month period immediately
15 preceding the filing of his complaint.

16 **Failure to cure these deficiencies by the above date shall be deemed a failure to**
17 **properly prosecute this matter and the Court will recommend dismissal of this**
18 **matter.**

19 (2) The Clerk is directed to send a copy of this Order to plaintiff, along with the appropriate *in*
20 *forma pauperis* application form.

21 DATED this 21st day of August, 2008.

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Karen L. Strombom
United States Magistrate Judge